

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
YURMAN STUDIO, INC. and YURMAN
DESIGN, INC.,

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.
----- X
----- X

Civil Action No. 07-1241 (SAS)(HP)
(Action No. 1)

CARTIER, a division of RICHEMONT NORTH
AMERICA, INC., CARTIER INTERNATIONAL,
N.V., CARTIER CREATION STUDIO, S.A., VAN
CLEEF & ARPELS S.A., VAN CLEEF &
ARPELS, INC., VAN CLEEF & ARPELS
DISTRIBUTION, INC., GUCCI AMERICA, INC.,
and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants.
----- X

Civil Action No. 07-7862 (SAS)(HP)
(Action No. 2)

**DECLARATION OF BHARAT DUBE IN SUPPORT OF THE CARTIER PLAINTIFFS
MOTION FOR PARTIAL SUMMARY JUDGMENT**

EXHIBIT L



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

FORM VA

For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

REGIE

VA 1-130-790



EFFECTIVE DATE OF REGISTRATION

AUG 09 2001

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

AGRAFE

NATURE OF THIS WORK ▼ See instructions

Jewelry Bracelet

PREVIOUS OR ALTERNATIVE TITLES ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

2

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NAME OF AUTHOR ▼

Cartier International B.V.

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"?

☒ Yes

☐ No

Author's Nationality or Domicile

Name of Country

OR ☐ Citizen of ▼

☐ Domiciled in ▼

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☐ No

Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☒ Jewelry design

☐ Architectural work

NAME OF AUTHOR ▼

b

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"?

☐ Yes

☐ No

Author's Nationality or Domicile

Name of Country

OR ☐ Citizen of ▼

☐ Domiciled in ▼

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☐ No

Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

3

Year in Which Creation of This Work Was Completed

2000

This information must be given in all cases.

Date and Nation of First Publication of This Particular Work

Complete this information ONLY if this work has been published.

Month ▼ November

Day ▼ 1

Year ▼ 2000

Nation ▼ France

Nation

4

See instructions before completing this space.

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Cartier International B.V.

Herengracht 436, BZ 1017 Amsterdam, Netherlands

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED

AUG 09 2001

ONE DEPOSIT RECEIVED

AUG 09 2001

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK ►

• Complete all applicable spaces (numbers 5-6) on the reverse side of this page.
• See detailed instructions.
• Sign the form at line 6.

DO NOT WRITE HERE

Page 1 of 2 pages

EXAMINED BY Vg

FORM VA

CHECKED BY

☒ CORRESPONDENCE
YesFOR
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OFFICE
USE
ONLY

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PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.
a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

6

a See instructions
before completing
this space.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

7

a

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

William P. Berridge
OLIFF & BERRIDGE, PLC
P.O. Box 19928, Alexandria, Virginia 22320

b

Area code and daytime telephone number ► (703) 836-6400

Fax number ► (703) 836-2787

Email ► commcenter@oliff.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one ►

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Cartier International B.V.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Michael S. Culver

Date ► August 9, 2001

Handwritten signature (X) ▼

x

Michael Culver

Certificate
will be
mailed in
window
envelopes
to this
address:

Name ▼

William P. Berridge
OLIFF & BERRIDGE, PLC

Number/Street/Apt ▼

P.O. Box 19928

City/State/ZIP ▼

Alexandria, Virginia 22320

YOU MUST

- Complete all necessary spaces
- Sign your application in space 8

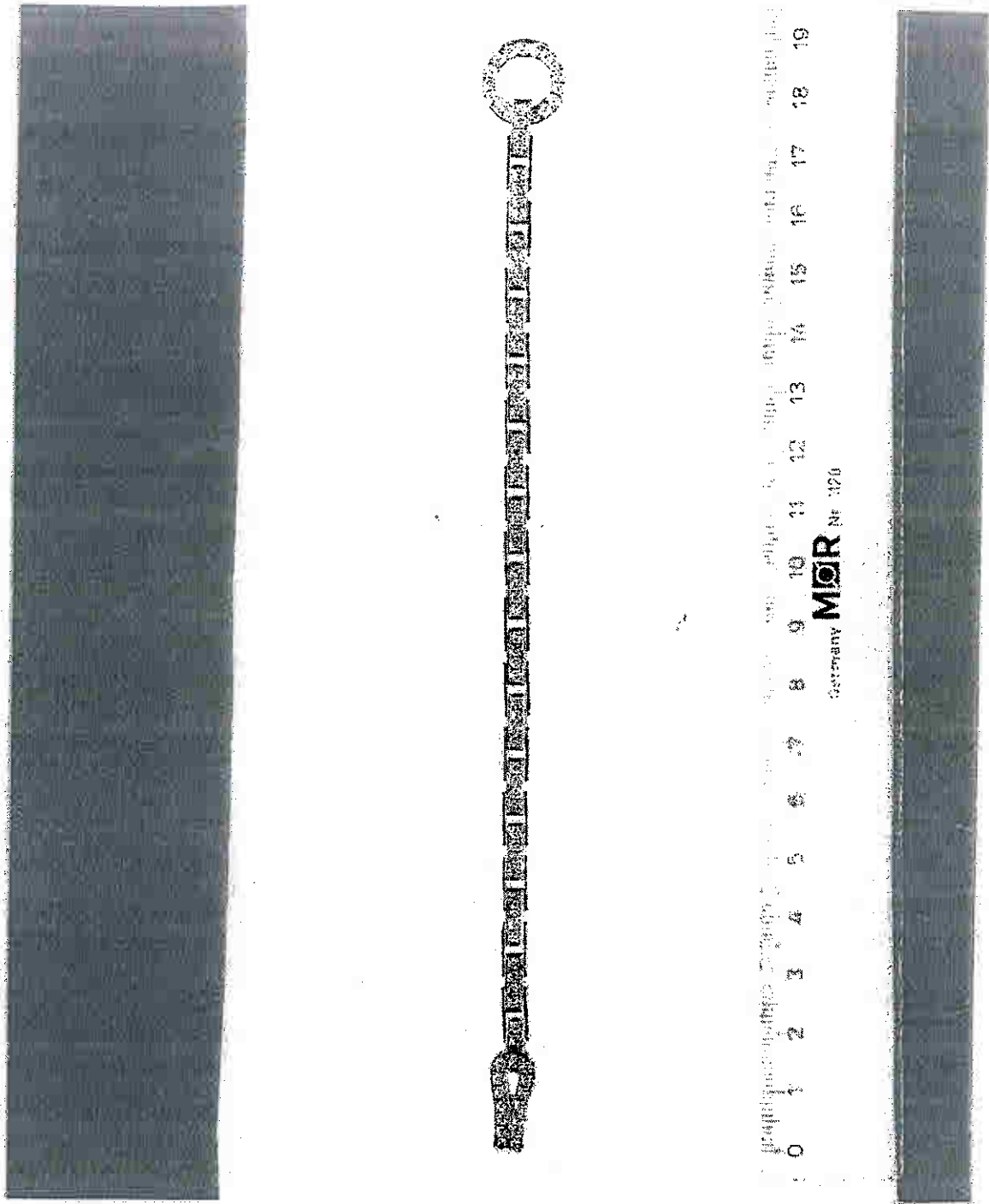
SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO

Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000As of July 1, 1999,
the filing fee for
Form VA is \$30.

9



bracelet DNA France - USA 01/14/2000

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Best Sellers

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- Tiffany Inspired Jewelry
- David Yurman Inspired Jewelry
- Designer Inspired Jewelry
- Designer Inspired Baby Charms
- Men's Jewelry
- Judith Leiber Inspired Bags

CATEGORIES

- Engagement Rings
- Chandelier Earrings
- Bridal Jewelry
- Heart Shaped Jewelry
- Tennis Bracelets & Necklaces
- Chains
- Cufflinks
- Clover Jewelry
- Religious Jewelry
- Equestrian Jewelry
- Earth Elements

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Tiffany -esque Style
Diamond CZ Horseshoe
Pendant Necklace
\$34.99

Matching Items

Van Cleef and Arpel Inspired
Sterling Silver Mother Of
Pearl Butterfly CZ Pave Ring
\$43.99

Roberto Coin Style Inspired
Diamond CZ Pave Mint Open
Circle Of Life Pendant
\$54.99

Cartier -esque Inspired Jewelry Diamond Cubic Zirconia Agrafe Bangie Bracelet

Availability: **In Stock**
Order Now & Ships: **Thurs, Feb 7**
Item #: DT-LB-C0018-925
List Price: \$189.99
Our Price: **\$84.99**

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OTHER VIEWS:

PLAINTIFF'S EXHIBIT
83
2/18/08 JN

Skull Jewelry

DEPARTMENTS

Watches
 Bracelets
 Necklaces & Pendants
 Earrings
 Rings
 Pins & Brooches
 Ankle Bracelets
 Accessories
 Baby Gifts & Charms
 Shop by Price

MATERIALS

Sterling Silver & CZ
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 Gemstone Jewelry
 Turquoise Jewelry

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DESCRIPTION:

Inspired by Cartier's famous Agrafe design, this bracelet is made of .925 sterling silver with rhodium plating to provide the look of platinum. This 'circle and hook' ring is fully pave-set with sparkling diamond Cubic Zirconia stones all around. Simple and elegant. Although not 100 percent Cartier you still get 100 percent of the look and feel. The designer's original piece could retail for thousand of dollars and now you can get the same look for much less. Great value for a bargain price!

Measures: will fit an 8" wrist

Weight: 16 grams

Material: .925 sterling silver Cubic Zirconia

Category: bracelet bangle Cartier esque bridal .925 sterling silver cubic zirconia circles

All measurements are approximate. Designer mentioned does not make this item. Please read our **description.**

CUSTOMER REVIEWS:

I just got my marquise cut tennis bracelet via UPS. I can't believe it came so fast! And it's absolutely stunning, beautiful and perfect. I've sold jewelry in major retail chains and this bracelet could compete with any tennis bracelet out there. It looks so expensive. I'm the most spoiled girl on my block (so my neighbors think). I can't believe how inexpensive it was, seeing it in person I would have paid twice as much. and STILL felt that I got a bargain. This is a good store, everyone. Feel safe purchasing from them.

This item includes:

- No Sales Tax except for NY
- 30-Day Moneyback Guarantee
- Item is shipped in velvet pouch.
- Free Gift box and Free Gift Message!

Recently viewed items

**Roberto Coin Inspired
 Diamond CZ Circle
 Chandelier Earrings**
 \$144.95

**Roberto Coin Inspired
 Diamond CZ Pave Large
 Open Circle Pendant**
 \$144.95

**Roberto Coin- Esque
 Inspired Diamond CZ
 Sterling Silver Circle Motif
 Ring**
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Sterling Silver & CZ Necklaces & Pendants > Cartier-esque Inspired Pave CZ Heart Clasp Sterling Silver Anchor Link Agrafe Necklace

Cartier-esque Inspired Pave CZ Heart Clasp Sterling Silver Anchor Link Agrafe Necklace

Our Bestsellers

Availability: **In Stock**
Order Now & Ships: **Thurs, Feb 7**
Item #: SG-3489-ASH
List Price: \$449.99
Our Price: **\$174.99**

Necklace Sizing Chart

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David Yurman Albion
Inspired Cushion Cut
Diamond CZ Earrings
MORE COLORS!
\$44.99

Matching Items

SALE! Tiffany Inspired
Round Cut Diamond CZ
Heart Link Tennis Bracelet
\$99.99

Tiffany Inspired Sterling
Silver Hearts Collection
Pave Diamond CZ Earrings
\$119.99



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Tiffany Inspired Jewelry

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Men's Jewelry

Judith Leiber Inspired Bags

CATEGORIES

Engagement Rings

Chandelier Earrings

Bridal Jewelry

Heart Shaped Jewelry

Tennis Bracelets & Necklaces

Chains

Cufflinks

Clover Jewelry

Religious Jewelry

Equestrian Jewelry

Earth Elements

OTHER VIEWS:

Skull Jewelry

DEPARTMENTS

Watches
 Bracelets
 Necklaces & Pendants
 Earrings
 Rings
 Pins & Brooches
 Ankle Bracelets
 Accessories
 Baby Gifts & Charms
 Shop by Price

MATERIALS

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 Diamond Jewelry
 Gemstone Jewelry
 Turquoise Jewelry

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CARTON WITH BUBBLE WRAP



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**Tiffany Inspired Hearts
 Collection Diamond CZ
 Charm Bracelet**
 \$21.99

**Designer Inspired Sterling
 Silver Diamond CZ Pave
 Heart Locket Pendant**
 \$74.99

**Tiffany -esque Inspired
 Sterling Silver Raised
 Playful Starfish with CZ
 Accents Pendant Necklace**
 \$49.99

DESCRIPTION:

Breathtakingly gorgeous! This stunning Cartier -esque Inspired necklace is the perfect gift to give to that special someone. Show your love and devotion with this lovely Cartier inspired piece. Not an identical Cartier reproduction, this necklace is strikingly similar to the real thing. Anchor link chain alternates between .925 sterling silver and pave encrusted links. A pave encrusted open heart acts as the centerpiece. Hook clasp closure provides extra security, without sacrificing style.

Measures: 17" in length**Weight:** 34 grams**Material:** .925 Sterling Silver Rhodium Plated Cubic Zirconia CZ**Category:** necklace charm anchor link Tiffany inspired heart link pave CZ

All measurements are approximate. Designer mentioned does not make this item. Please read our

DISCLAIMER**CUSTOMER REVIEWS:**

Earrings are beautiful! Looks to be much more expensive than what I paid. I received items very quickly. Will be shopping more on this web site!

This item includes:

- No Sales Tax except for NY
- 30-Day Moneyback Guarantee
- Item is shipped in velvet pouch.
- Free Gift box and Free Gift Message!

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Search

Designer Inspired Jewelry > Cartier-esque Inspired Jewelry Diamond CZ Agrafe Sterling Silver Ring

Cartier-esque Inspired Jewelry Diamond CZ Agrafe Sterling Silver Ring

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Final Clearance Sale
New Arrivals
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Judith Leiber Inspired Purse **NEW!**

Our Bestsellers

Cubic Zirconia Jewelry,
Bulgari Inspired
Engagement/Wedding
Ring Set
\$49.99

Matching Items

**Roberto Coin Style Inspired
Diamond CZ Pave Mini Open
Circle Of Life Pendant**
\$34.99

**Roberto Coin Inspired
Diamond Cubic Zirconia
Sterling Silver Starfish Pin /
Brooch**
\$119.99

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Availability: In Stock
Order Now & Ships: Thurs, Feb 7
Item #: PK-4388897
List Price: \$79.99
Our Price: \$39.99
Choose size: 6
Ring Sizing Chart
Add to Shopping Bag

OTHER VIEWS:

CATEGORIES

- Engagement Rings
- Chandelier Earrings
- Bridal Jewelry
- Heart Shaped Jewelry
- Tennis Bracelets & Necklaces
- Chains
- Cufflinks
- Clover Jewelry
- Religious Jewelry
- Equestrian Jewelry
- Earth Elements

PLAINTIFF'S EXHIBIT
85
9/18/08 FD

Skull Jewelry

DEPARTMENTS

Watches
 Bracelets
 Necklaces & Pendants
 Earrings
 Rings
 Pins & Brooches
 Ankle Bracelets
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 Baby Gifts & Charms
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MATERIALS

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 Gold Jewelry
 Pearls
 Diamond Jewelry
 Gemstone Jewelry
 Turquoise Jewelry



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DESCRIPTION:

Inspired by Cartier's famous Agrafe design, this ring is made of .925 sterling silver and rhodium plated to resist tarnish. This 'circle and hook' ring is fully pave-set with sparkling diamond CZ stones all around. Simple and elegant. The designer's original piece could retail for thousand of dollars and now you can get the same look for much less.

Measures: circle diameter about 0.5"**Weight:** 4 grams**Material:** .925 Sterling Silver diamond CZ**Category:** silver ring

All measurements are approximate. Designer mentioned does not make this item. Please read our disclaimer.

CUSTOMER REVIEWS

Extremely fast shipping! Item looks great on me! 10% next purchase [for new customers] coupon included was a nice bonus as well.

This item includes:

- No Sales Tax except for NY
- 30-Day Moneyback Guarantee
- Item is shipped in velvet pouch.
- Free Gift box and Free Gift Message!

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Cartier -esque

Cartier -esque

Cartier -esque

Cartier -esque

Cartier -esque



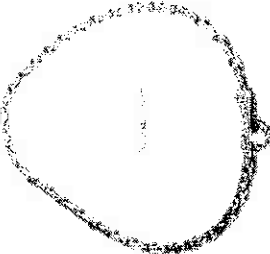

Roberto Coln Inspired
 Diamond CZ Circle
 Chandelier Earrings
 \$39.99

Tiffany Inspired 1837
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 Stackable Bangles Set of
 Three
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Chopard Inspired Timepiece
 Floating Crystals Fine
 Stainless Steel Watch
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VA 1-130-790		<div data-bbox="354 541 492 793"></div> <div data-bbox="573 590 605 751">DT-LB-G0018</div> <div data-bbox="662 541 930 793"></div> <div data-bbox="971 590 1003 751">SG-3489-ASH</div> <div data-bbox="1084 569 1287 772"></div> <div data-bbox="1336 590 1369 751">PK-438897</div>